

REMARKS

Claims 1-17 are pending in the application.

Claims 1, 6, 10, 13, 16 and 17 are currently amended.

Claims 7, 12 and 15 are original.

Claims 2-5, 8-9, 11 and 14 have been canceled and have now been rewritten as new claims 18 and 19.

New Claims 18 and 19 have been added.

The amendments to claims 1, 6, 10, 13, 16 and 17 are intended to more accurately reflect what is applicants' invention. The word optically has been replaced by fluorescent.

Applicant is also filing with this amendment two terminal disclaimers to overcome the obviousness double patenting rejections.

The statutory double patenting rejection under 35 U.S.C. § 101 have been addressed by the cancellation (see further discussion below) of the conflicting claims pending in U.S. Serial No. 10/353,090. Applicants' filed an amendment on February 22, 2005 canceling the conflicting claims.

Additionally, a 37 CFR § 1.132 declaration is enclosed that addresses the rejections under 35 U.S.C. 102(f).

THE ELECTION/RESTRICTION REQUIREMENT

Applicant hereby elects and affirms with traverse the election of SEQ ID Nos: 583 and 609 for purposes of examination.

THE SPECIFICATION

The objection to the specification as having a long abstract has been addressed by replacing the original abstract with the new abstract in page 2 of this response.

THE REJECTIONS UNDER 35 U.S.C. § 112

The rejection of claims 4 and 11 under 35 U.S.C. § 112 first paragraph has been rendered moot as a result of the cancellation of those claims.

THE DOUBLE PATENTING REJECTIONS

Applicant is filing simultaneously herewith two terminal disclaimers. One terminal disclaimer disclaims the term the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior commonly owned U.S. Patent Nos. 6,270,964; 6,294,330 and 6,428,951.

The other terminal disclaimer disclaims , the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of any patent granted on commonly owned pending reference Application Numbers 10/856,620 filed May 29, 2004; 10/772,021 filed February 5, 2004; 10/353,090 filed January 29, 2003; 10/154,758 filed May 24, 2002; 09/603,885 filed June 26, 2000.

It is believed that the obviousness double patenting rejections are now moot by the filing of the above two terminal disclaimers.

The statutory double patenting rejection under 35 U.S.C. § 101 have been addressed by the cancellation of the conflicting claims pending in U.S. Serial No. 10/353,090. Applicants' filed an

amendment on February 22, 2005 canceling the conflicting claims and the amendment has been entered in serial No. 10/353,090 as confirmed by the entry in the public PAIR page.

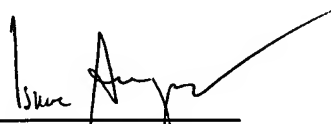
THE REJECTIONS UNDER 35 U.S.C. § 102(f)

The Examiners' attention is called to the enclosed declaration under 37 C.F.R. § 1.132 which Applicant believes would obviate all the rejections under 35 U.S.C § 102(f).

In view of the above amendments and remarks, it is respectfully submitted that the claims are now in condition for allowance. The Examiner is invited to contact the undersigned at 703-418-2777 if he feels that further discussion may facilitate the resolution of any outstanding issues.

An early indication of a Notice of Allowance is earnestly solicited.

Respectfully submitted,



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